

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. AM100123)



In re Patent Application of:)	Appln. No.: 09/840,485
)	Confirmation No.: 5730
ROCKY B. BIGBIE <i>et al.</i>)	Customer No.: 25291
)	Group Art Unit: 1645
Filed: 04/23/2001)	Examiner: Virginia Allen Portner
)	
For: EQUINE PROTOZOAL)	
MYELOENCEPHALITIS VACCINE)	

TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith in the above-referenced patent application is an Amendment after Final Rejection Pursuant to 37 C.F.R. § 1.116. If warranted under the circumstances, the Notice of appeal will be filed in due course.

No additional fee is believed to be required for presentation of the revised claims. However, if any surcharge is deemed necessary, the Commissioner is authorized to debit the amount of the appropriate fee from Deposit Account No. 01-1425. A duplicate copy of this letter is enclosed for billing purposes.

Thank you for your attention to this matter.

Respectfully submitted,

WYETH

Date: May 3, 2006

By: Anne M. Rosenblum
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Attorney for Applicants
Registration No. 30,419

FILING BY EXPRESS MAIL UNDER 37 C.F.R. § 1.10

This correspondence and the accompanying documents identified hereinabove are being deposited with the U.S. Postal Service on May 3, 2006 to be delivered by the "Express Mail Post Office to Addressee" service under Mailing Label Number EQ 269458388 US addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Anne M. Rosenblum
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AMENDMENT AFTER FINAL REJECTION
PURSUANT TO 37 C.F.R. § 1.116

Dear Sir:

Responsive to the Official action mailed February 3, 2006, please amend the above-referenced patent application using the following instructions and consider the remarks in a favorable light:

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

In accord with 37 C.F.R. § 1.121, the proposed amendment to the claims and a complete listing of all pending claims in the application begin on a separate sheet. The amendment adds no new matter into the application. For the convenience of the Office staff, the amendment is placed in the below Appendix and incorporated herein by reference thereto.

Although Applicants respectfully disagree with the merits of the rejections being maintained, the pending claims have been amended for the better readability thereof and new Claims 26-29 have been added in a good faith attempt to overcome the rejections and to expedite matters. While Applicants appreciate that they cannot amend the finally rejected claims as a matter of right, they believe that the present amendment may place the application in condition for an immediate allowance.

In particular, this amendment responds directly to the final Office action, obviates the objection to the pending claims and revises the claims based on the teachings in the specification. The main goal of the amendment is to adopt the Examiner's kind suggestions and apply them to the present invention taken as a whole. As a consequence, this amendment requires only a cursory

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